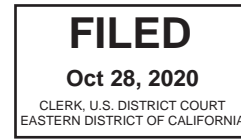


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7

**SEALED**

8 IN THE UNITED STATES DISTRICT COURT  
9 EASTERN DISTRICT OF CALIFORNIA

10 IN RE APPLICATION OF THE UNITED  
11 STATES OF AMERICA FOR AN ORDER  
12 AUTHORIZING THE INSTALLATION AND  
13 USE OF PEN REGISTER AND TRAP AND  
14 TRACE DEVICE ASSOCIATED WITH (916)  
896-8190, (916) 621-7638, (916) 591-3917,  
(209) 605-5936, (530) 368-5271, and (916)  
718-7426

CASE NO. 2:20-sw-1009 JDP

~~{PROPOSED}~~ ORDER

UNDER SEAL

15  
16 ORDER

17 DAVID W. SPENCER, on behalf of the United States, has submitted an application pursuant to  
18 18 U.S.C. §§ 3122 and 3123, requesting that the Court issue an Order authorizing the installation and  
19 use of pen registers and trap and trace devices (“pen-trap devices”) on the cell phone number described  
20 in Attachment A, which is incorporated into this Order by reference.

21 The Court finds that an attorney for the government has submitted the application and has  
22 certified that the information likely to be obtained by such installation and use is relevant to an ongoing  
23 criminal investigation being conducted by the DEA of unknown individuals in connection with possible  
24 violations of, inter alia, 21 U.S.C. §§ 846 and 841(a)(1).

25 IT IS THEREFORE ORDERED, pursuant to 18 U.S.C. § 3123, that DEA may install and use a  
26 pen/trap device to record, decode, and/or capture dialing, routing, addressing, and signaling information  
27 associated with each communication to or from the accounts described in Attachment A, including the  
28 source and destination WhatsApp accounts, date, time, duration of the communication, and Internet

1 Protocol address, including Internet Protocol address associated with access to the target WhatsApp  
2 accounts, without geographic limit.

3 IT IS FURTHER ORDERED, pursuant to 18 U.S.C. § 3123(c)(1), that the use and installation of  
4 the foregoing is authorized for sixty days from the date of this Order;

5 IT IS FURTHER ORDERED, pursuant to 18 U.S.C. §§ 3123(b)(2) and 3124(a)-(b), that  
6 WhatsApp Inc. (“WhatsApp”) and any other person or entity providing wire or electronic  
7 communication service in the United States whose assistance may, pursuant to 18 U.S.C. § 3123(a),  
8 facilitate the execution of this Order shall, upon service of this Order, furnish information, facilities, and  
9 technical assistance necessary to install the pen/trap device, including installation and operation of the  
10 pen/trap device unobtrusively and with minimum disruption of normal service;

11 IT IS FURTHER ORDERED that the DEA reasonably compensate WhatsApp and any other  
12 person or entity whose assistance facilitates execution of this Order for reasonable expenses incurred in  
13 complying with this Order;

14 IT IS FURTHER ORDERED that WhatsApp and any other person or entity whose assistance  
15 may facilitate execution of this Order provide prior notice to the applicant and the DEA before  
16 terminating or changing service to the accounts;

17 IT IS FURTHER ORDERED that the DEA and the applicant have access to the information  
18 collected by the pen/trap device as soon as practicable, twenty-four hours per day, or at such other times  
19 as may be acceptable to the DEA, for the duration of the Order;

20 IT IS FURTHER ORDERED, pursuant to 18 U.S.C. § 3123(d)(2), that WhatsApp and any other  
21 person or entity whose assistance facilitates execution of this Order, and their agents and employees,  
22 shall not disclose in any manner, directly or indirectly, by any action or inaction, the existence of the  
23 application and this Order, the pen/trap device, or the investigation to any person, unless and until  
24 otherwise ordered by the Court, except that WhatsApp may disclose this Order to an attorney for  
25 WhatsApp for the purpose of receiving legal advice;


26 ///

27 ///

28 ///

1 IT IS FURTHER ORDERED that the application and this Order are sealed until otherwise  
2 ordered by the Court, pursuant to 18 U.S.C. § 3123(d)(1).

3  
4 Dated: October 28, 2020

  
5 Hon. Jeremy D. Peterson  
6 U.S. MAGISTRATE JUDGE  
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**ATTACHMENT A**

## WhatsApp

Facility	Number or identifier	Owner, if known	Subject of investigation, if known
WhatsApp account	(916) 896-8190		Jose LOPEZ-ZAMORA
WhatsApp account	(916) 621-7638		Luis ZAMORA
WhatsApp account	(916) 591-3917		Leonardo FLORES BELTRAN
WhatsApp account	(209) 605-5936		Rudy FLORES
WhatsApp account	(530) 368-5271		Javier HERNANDEZ
WhatsApp account	(916) 718-7426		Loth RODRIGUEZ